

SEP 27 2007

Docket No.: TRANSVI.017A

September 27, 2007

App. No.: 10/786339

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## TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Applicant : Gorsuch, Reynolds G.  
App. No : 10/786339  
Filed : 25-Feb-2004  
For : STRUCTURALLY OPTIMIZED  
HOLLOW FIBER MEMBRANES  
Examiner : Craig, P. L.  
Art Unit : 3761

CERTIFICATE OF FAX TRANSMISSION  
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September 27, 2007

(Date)

Total number of pages including this sheet: 2

  
Rose M. Thiessen, Reg. No. 40.202

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Disclaimer by Assignee**

Assignee, Transvivo, Inc. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 11/078016, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and any patent issuing from U.S. Patent Application No. 11/078016 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of any patent issuing from U.S. Patent Application No. 11/078016, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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***Right of Assignee and Ownership***

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned, Application No. 11/078016. The assignment of Application No. 11/078016 is recorded at Reel No. 016685, Frame No. 0027 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

***Empowerment of Attorney***

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$65 fee set forth in 37 C.F.R. § 1.20(d). The Commissioner is hereby authorized to charge any deficient fee to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP



Date: September 27, 2007

Rose M. Thiessen  
Registration No. 40,202  
Attorney of Record  
Customer No. 20,995  
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